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# Democratic Stump Speech

Max S. Baucus

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(1) Subject\*: **Federal Issues**

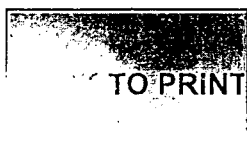
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(2) Subject\* **Democratic Stump Speech - DRAFT**

DOCUMENT DATE\*: **09/29/1980**

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DEMOCRATIC STUMP SPEECH

Today I am going to talk about Montana's future. I'm going to talk about how we Democrats fit into that future, and how we will shape it.

Years ago Emerson said that our political parties are always divided into a party of hope and a party of memory. The Democratic Party has always been and will continue to be the party of hope for Montanans.

Our State is facing serious challenges and massive changes. Fortunately, we have both the opportunity and responsibility to shape our future.

We Democrats will take the lead in making our State a better place to live and a better place to work.

We Democrats will take the lead in building a strong, stable and diverse economy while retaining Montana's natural beauty and quality of life.

PRESSURES ON MONTANA

Montana has an inglorious heritage of exploitation and manipulation by outside interests.

Fur trappers, buffalo hunters, Texas ranchers and miners made minimal investments in Montana, exploited natural resources, and manipulated the political system for short-term gain. When the resources were gone, they moved on.

In many ways, Montanans have reversed that heritage. Under the leadership of the Democrats, we recently adopted a strong new Constitution. It replaced one written by the copper barons in the 1890s.

of the 1890s we have reformed the state  
Democrats we have instituted

the coal severance tax, the Utility Siting Act and strong reclamation laws to insure that development is in the best long-term interests of our State.

There will be continued pressure on Montana resources. The United States, indeed the world, needs our coal, our grain, our oil, water and timber.

Montana recognizes that it is part of the nation and must contribute to national goals. But we also know that development is not necessarily progress.

We don't want to be another West Virginia. There, massive coal development has left only eroded mountain sides, polluted streams and abject poverty.

We don't want to be another Cleveland with skies blackened by smokestacks and water so polluted it actually burns.

We Democrats will continue to strive for a stable, diversified economy where development benefits Montanans, not outsiders.

We Democrats will continue to insist that important decisions be made by Montanans and not outsiders.

Our State has a long history of living with economic decisions made beyond our borders. That experience has not always been a happy one.

Montanans have learned from the past. We Democrats will continue to take the lead to insure that past mistakes are not repeated.

#### THE CHALLENGES

I would like to discuss more specifically some of Montana's greatest challenges.

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## COAL SEVERANCE TAX

Montana's coal severance tax is an example of foresight and wisdom. It represents the collective decision of Montanans that coal development should provide revenue to meet our State's future needs.

We know that coal development will require a massive build-up of public services. We will need new roads, schools, sewer systems, and hospitals.

When the coal is gone we will need to provide job opportunities for Montanans and clean up the environment. Our recent experiences with the Anaconda Company show how important it is to plan for the day when natural resources are gone.

The coal severance tax is the only way to pay for the costs of coal development.

But our tax today faces its toughest test. Legislation pending in Congress will limit the level of the severance tax that any state could impose on energy resources.

Montana's major revenue source is at stake -- revenue we cannot afford to lose if we are to maintain a sufficient standard of living for future Montanans.

The pending legislation is an unprecedented interference with states' rights. Any limit on Montana's right to tax coal will reduce our ability to mitigate the effects of coal development.

There are legislators in Washington who believe that they have the right to impose tax limitations on the State of Montana. They are going to have to be convinced that the legislation they propose is unfair, unwise and unprecedented.

## ENERGY MOBILIZATION BOARD

that Congress has headed off a major

movement in ways

By a substantial margin, the House of Representatives defeated the conference report on legislation that would have established an Energy Mobilization Board. This legislation had earlier passed both Houses of Congress easily.

Fortunately, we were able to organize strong opposition and the legislation is dead, at least for this Congress.

The stated purpose of the Energy Mobilization Board was noble: to enhance energy development by cutting red tape for certain priority projects.

As it was designed, however, the EMB was a blueprint for disaster. Rather than foster cooperation among local, state and federal agencies, it was to be a super bureaucracy that could trample states' rights like grass under a buffalo stampede.

Montanans have spent years developing and enacting environmental and zoning ordinances that insure public involvement in resource development. We have shown that we not only have good laws, but good administrators, too.

EMB would have power to override these state laws and local ordinances.

The EMB would have power to impose deadlines on state and local governments. It would have power to make decisions instead of the state or local government if the deadlines were missed.

The EMB could override the provisions of Montana's major Facilities Siting Act.

The EMB could override the provisions of Montana's strip mine legislation.

The EMB could even override provisions of Montana's water laws.

And, to make matters worse, neither Montana state courts nor

and in Montana be allowed to review

The proposed Energy Mobilization Board was a basic denial of due process both to individuals and to the states. No demand for energy independence should be permitted to override this nation's constitutional guarantees to the states.

I am troubled by the precedent that the EMB could set. While the Mobilization Board concept was limited to energy development for the moment, it might be applied to override state and local laws in other areas in the future.

Montanans, especially Pat Williams, were instrumental in the defeat of the EMB. And we must continue to be alert and aggressive in our opposition to similar measures.

#### WATER LAW

I want to discuss a third area where we need to monitor carefully federal government activities: water law.

Montana has developed a progressive and comprehensive set of laws to maximize the beneficial use of our State's water. The 1973 Montana Water Use Act established a uniform system for the acquisition, administration and determination of water rights.

The process established by the Act takes into account the needs for irrigation, mining, municipal, recreational, and fish and wildlife needs. The State law specifically provides that the federal government be treated like any individual when it applies for water.

The Supreme Court of the United States has upheld the position that federal agencies must comply with state water laws. Nevertheless, the Department of Interior is vigorously attempting to narrow the impact of the Supreme Court decision.

The Solicitor General of the Interior Department claims that water rights for BLM land, land not specifically addressed by the court decisions, are beyond the state laws.

be result of the

Interior Department's position would be confusion and uncertainty.

The rights of the citizens of Montana and all public or private water users can best be protected under a clear procedure of uniform application of state laws.



ELECT DEMOCRATS IN 1980

I've spent several minutes talking about the challenges Montana faces. Now I'd like to turn to the immediate problems we Democrats face.

In order to overcome the challenges we face, Montana needs leaders who are aggressive and creative and who have a clear vision about what is best for the people of our State. Montana needs leaders who are concerned about people, not just prophets.

Our immediate challenge is to elect Democrats to public offices.

We need to put Ted Schwinden in the Governor's office.

We need to send Pat Williams and Tom Moynihan to Congress.

We need to fill other state offices with Democrats, and we need to send Democrats to the Legislature.

I have great faith in my fellow Montana Democrats. I know that we will be able and involved leaders in developing Montana's future.

We will build the future we want. We will build a strong stable and diverse economy that provides jobs while protecting the natural beauty and the solitude that means so much to us.